

Hearing Transcript

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| Project: | Springwell Solar Farm |
| Hearing: | Issue Specific Hearing 3 (ISH3) - Part 3 |
| Date: | 16 July 2025 |

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File Length: 01:47:35

FULL TRANSCRIPT (with timecode)

00:00:28:14 - 00:00:54:11

Okay, the time is 130, so we will resume this specific hearing. Okay. We're going to come to agenda item number six which is land, soil and groundwater. Um, I had initially anticipated running through, um, a few things with the applicant and, uh, Natural England. Uh, in terms of some of the outstanding concerns that you have. Um, but given they're not able to attend today, I'm going to leave those to written questions. Um, so we'll come on.

00:00:54:20 - 00:01:04:01

I can indicate that we've had, um, um, positive discussions with Nashville, and we are largely agreed on in principle, and I think we'll be confirming that for demo three, if that helps.

00:01:04:03 - 00:01:35:17

Okay. That's useful to know. Thank you. Okay. I look out for that deadline through, um, okay. Uh, our first matter for discussion then relates to, um, concerns from the district council, uh, in its local impact report over the way that the environmental statement is considered, the impact of temporary uses. Um, particularly around satellite collector compounds, the best and springwell substation and main collector compound, which would result in, um, sealed over land, I think is referred to by the district council.

00:01:36:11 - 00:02:11:06

Um, and in addition, the district council has similar views in terms of temporary green infrastructure, infill TB to um and the community growing area. And the applicant did reply, did respond to those concerns and noted that is considered temporary as this will be removed during the decommissioning phase and return back to the original agricultural grade of land for agricultural use, as detailed and secured in the Outline Soil Management Plan. Um, I don't think the district council have responded to that position from the applicant.

00:02:11:09 - 00:02:15:17

I just wondered if you could, um, state that now. Thank you so.

00:02:15:20 - 00:02:28:21

Much. North district council? Yes, sir. Can I introduce, um, Sam Franklin, who's joining us online, who's from landscape. And he's acting for both the district and the county council on these matters. So I'll perhaps pass over to him at this stage.

00:02:28:24 - 00:02:37:10

Okay. Thank you. Um, could we stop sharing the agenda just so that I've got a slightly bigger screen? Thank you.

00:02:45:04 - 00:02:46:16

Thank you. I can hear you. Thank you.

00:02:49:09 - 00:02:51:17

Oh, I can't hear you very well, though. That's.

00:02:56:03 - 00:02:57:18

It's very echoey.

00:03:00:21 - 00:03:01:13

What I can do.

00:03:05:07 - 00:03:07:11

Is that, you know.

00:03:07:13 - 00:03:10:18

Unfortunately, it's still quite hard to hear you.

00:03:20:16 - 00:03:22:17

Try turning it off. Does that make a difference?

00:03:24:07 - 00:03:31:06

No, no, I think it's, um. Yeah. Is it possible to try without the headphones? Maybe. Whether that.

00:03:41:22 - 00:03:44:22

You can see you're absolutely fine. It's just the audio that's the problem.

00:03:46:05 - 00:03:48:04

Can you. Can you hear me speaking now?

00:03:48:11 - 00:03:50:02

Yes. That's much better. Perfect.

00:03:50:09 - 00:04:27:16

Okay, fine. I can do it without the headphones. Um, yeah. This, uh, basically refers to the, I think, um, the 77 hectares of best and most versatile that is, um, stated to be, uh, not a small area of land, for one thing. And also that because of the nature of the, um, the proposed development and after use, what will not return to agriculture as we understand it.

00:04:28:07 - 00:04:44:14

Um, so there's, there's 77 hectares of best and most versatile, which is quite a large area when you consider that 20 hectares is the Natural England threshold. And I think we were seeking clarification on that point, amongst other things.

00:04:46:21 - 00:04:55:16

This is 11.7 .23 in the um, In the ES. Chapter 11.

00:05:14:20 - 00:05:16:21

Okay. Thank you. Is the applicant

00:05:18:11 - 00:05:19:13

able to respond?

00:05:21:01 - 00:05:38:14

Yes, we can respond to that. I'll pass you to our expert. But the 77 hectares represents the permanent loss due to green infrastructure. Um, it's a worst case. Um, in order to ensure that we've obviously assessed that. But I'm going to pass you to Mr. Jay Ryan, who's a soils consultant who can just expand upon that.

00:05:40:02 - 00:06:17:09

Hi. Jeri Ryan, soil consultant from Adas, on behalf of the applicant. So a worst case scenario has been used for assessing the green infrastructure, as Alexis mentioned, which is a total of 77 hectares on BMV land. However, this will be taken out of agricultural production, but these areas provide positive offsets for biodiversity mitigation enhancement areas and provide an opportunity for soil improvement. Whilst it is assumed that this land would be returned to agricultural use. The applicant does not have the rights to enforce this and the landowner at this point will decide how they wish to manage their land.

00:06:17:11 - 00:06:57:06

Therefore, a worst case scenario will be was it used to assess all green infrastructure as permanent? Due to the nature of the land quality within the order limits and the general classification, both locally and at a wider scale in Lincolnshire. It has not been possible to avoid band of land entirely for the creation of this green infrastructure. This will result in some permanent loss, which approximates to four hectares of BMV land at a strategic locations within the Lauder limits, which structure with structural planting is required to mitigate the proposed developments.

00:06:57:11 - 00:07:14:04

These four hectares are established habitats that will unlikely be removed. In some instances, temporary green infrastructure is located on BMV land within the order limits. Where this has occurred, it's been carefully considered in balance with other environmental factors.

00:07:16:06 - 00:07:17:06

Okay. Thank you.

00:07:17:08 - 00:07:24:19

So just if it's helpful for the reference for Mr. Franklin, um, that's largely set out in response to, um, first written question 1.93.

00:07:25:00 - 00:07:45:03

Okay. My understanding, the the potential concern was more about some of the what's the applicant classes, temporary, um, areas such as the bigger bits of infrastructure and the concern that that should be considered, uh, a permanent loss rather than a temporary one. So it was that really that I was trying to get to the bottom of.

00:07:49:13 - 00:07:50:07

Do you want us to?

00:07:51:03 - 00:07:56:09

I think, Mr. Franklin, if that's possible, because I believe that was really the district council's main concern.

00:07:57:05 - 00:08:11:22

North District council? Yes, sir. That's right. So, um, our concern, I think, primarily in response to agenda item 6.2, is about the consideration of temporary uses. Um, so I think Mr. Franklin can deal with that specifically and distinct from green infrastructure.

00:08:13:10 - 00:08:14:22

Okay. Thank you. That would be useful.

00:08:18:12 - 00:08:51:09

Sorry, sir. Yes. Sam Franklin here from north of, uh, representing North Kesteven and Lincoln County Council. So, um, we accept there is a distinction between the, um, stated temporary use. Um, but, um, some of the land is going to be effectively, permanently sealed under hardstanding. And, um, that I think is the issue in terms of it's what we consider to be treated as a permanent loss from agriculture, as opposed to the, um, the more temporary nature.

00:08:52:01 - 00:09:33:20

Um, apologies with regard to the, the other areas, but, uh, that I think was also the concern or the uncertainty about the community growing area and allotments and orchards, which, um, well, the 75 hectares of best or 77 hectares of best and most versatile. But of course, actually, there's a total area of 166 hectares of agricultural land involved. So together they're quite significant quantities of land. And I think we were seeking both clarification and um, some, if you like, distinction between the, uh, the more permanent ceiling as opposed to, uh, the temporary use.

00:09:34:20 - 00:09:56:07

Okay. Thank you. Just just a slight follow on question from that. Um, the local impact report from the district council also noted that, examining authorities on other solar projects. Have taken the view that such loss is permanent, as it's virtually impossible to mitigate. Um, it didn't reference any projects in particular, so I was just wondering if those could be provided.

00:09:59:16 - 00:10:08:13

To city council? Yes. Perhaps we can provide that in writing. There are a number of others, but we'll just go. We'll take that one away and just make sure we're correct in terms of a list we provide.

00:10:09:00 - 00:10:11:11

Okay. Thank you. And anything from the applicant.

00:10:11:16 - 00:10:42:20

I'm just going to add I think that would be helpful because the Secretary of State decisions on solid issues to date have confirmed, um, that it's treated as a reversible and albeit appropriate long term but temporary um, effect, for example Westbrook decision. Um Secretary of state at 4.273. Similarly on item 4.74. Um, so we can set out further detail of that. But that would be helpful to understand. And those are both 60 year schemes. Um, and where again, the types of development that Mr.

00:10:42:22 - 00:11:05:24

Franklin referred to and that you referred to in your questions. Substations and satellite compounds, that type of infrastructure has been treated as, um, as reversible and, and temporary, and that will also be reliant upon the management measures in place to protect the soil during operation, and also to ensure that the ALC grade is, um, ensured at the time of decommissioning. And, and we've got the measures in place for that.

00:11:07:11 - 00:11:30:08

Okay. Thank you. Um, in relation to soil management, um, and mitigation, the district council, uh, set out some concerns about sheep grazing and the use of that. And, uh, I think there was an indication that there had been some discussions or were to be some discussions between the parties. Is that moved forward any more? Maybe if I come to the applicant first.

00:11:34:22 - 00:11:46:16

And second, for the applicant. Uh, we're not immediately aware of, um, discussions, I can point you to and outline what the plan the proposal is in terms of grazing, if that's helpful. Um.

00:11:46:22 - 00:11:47:12

Yes, please.

00:11:47:14 - 00:12:17:14

Yeah. Okay. So this is covered in our outline landscape environmental management plan. We essentially set out that, um we will the intention is to provide conservation grazing, which so isn't at the same intensity as um, usual sheep grazing. It's an intention in terms of the management of that grassland. Um, we don't rely upon it as an ongoing use as an agricultural use in terms of mitigating the impact on best and most versatile land, because we aren't able to, um, commit to it 100%.

00:12:17:16 - 00:12:21:17

But it's very much an intention that we will be exploring and hoping to deliver on.

00:12:22:20 - 00:12:26:23

Okay. Thank you. Uh, is Mr. Franklin the relevant person to ask for a reply?

00:12:28:02 - 00:12:31:00

I think so, sir. He responds first, and then I'll add anything.

00:12:31:02 - 00:12:32:00

Okay. Thank you.

00:12:33:23 - 00:13:09:04

Thank you, sir. Sam Franklin again for North Kesteven and Lincoln County Council. Yes. I mean, I think there seems to be a contradiction, um, between what the, um, applicant desires to happen in terms of conservation grazing and what they're actually able to, um, deliver because, um, in their statement at 11.8.16 under grazing, they make it clear that they're not responsible for the management of the land going forward.

00:13:09:12 - 00:13:42:18

And whilst conservation grazing might be, um, their preferred and indeed that that is set out in the Olympus as the lady just said, it's not necessarily deliverable, uh, in terms of what the applicant is, is offering. Um, and so we are suggesting that perhaps a condition may be necessary in order to ensure that if Grazing is, is, um, desirable for the better environmental management of the land that it is delivered.

00:13:43:00 - 00:13:46:09

Otherwise, it will just return to a cutting regime.

00:13:49:07 - 00:13:51:14

Okay. Thank you. Anything from the applicant.

00:13:52:18 - 00:14:28:18

Is common to the applicant. Um, I mean, I've said what I've said. We've put the, um, commitment in the air, and it's paragraph 6.1.21 3 to 6.1.24, which sets out the intention. Um, it's obviously dependent upon, um, graziers or people taking up the opportunity to graze on the land. Um, I'm going to fast get outside my expertise here, so I might need to pass it somewhere else, and I'll see if we can expand on that further. If not, we'll do so in writing. But, um, we've been quite clear about that and deliberately not overcommitted when we know that, you know, there's not complete certainty in terms of being able to deliver on that.

00:14:29:06 - 00:14:29:21

Okay.

00:14:29:23 - 00:14:34:12

Thank you. Um, I might I'll just pass it to Miss Ryan as well. Just to add to that.

00:14:35:21 - 00:15:05:08

J. Ryan, on behalf of the applicant. So I just wanted to add that our assessment does not require grading in the assessment in order to increase our soil quality, because by having it under a permanent grass, we're still going to see an increase in organic matter within the soil. So this will be displayed with or without grazing. Present grazing will just help amplify the effects, especially with nutrient retention and input. Additionally, but our assessment is not, um, a requirement for grazing in order to see those inputs.

00:15:06:10 - 00:15:08:09

Okay. Thank you, Mr. Franklin. You've got your hand up.

00:15:10:08 - 00:15:47:08

Yes, sir. I just want to come back on that point, if I may. Um, in reading through the, um, outline soil management plan, the main, um, supposed benefit of soil health is to reduce runoff and soil erosion, not to build organic matter. And, um, if you, um, take the time to check, uh, the three agricultural land classification reports don't identify these soils as vulnerable to soil erosion and therefore runoff.

00:15:47:17 - 00:16:16:05

And so most of the grassland management is, in effect, being installed to minimize the impact of the solar scheme, not the, um, the soil itself. And so, in other words, um, without the solar scheme, this soil doesn't suffer from the problems that um are proposed to be remedied by the, um, the soil management plan, if you like.

00:16:17:21 - 00:16:23:23

Okay. As a follow up to that, is there anything that you suggest could be done instead of sheep grazing?

00:16:27:08 - 00:17:10:08

Well, it's it's for the With respect, sir. It's for the applicant to demonstrate, um. What what is necessary in in order to improve the, um, the supposed soil health and and, uh, the status of the land. I think there's a couple of issues. Um, obviously, if they can't guarantee grazing on the land, then any merit that you might consider giving the land in terms of its, um, dual use for agriculture as well as for solar must must be called into question or the weight that you give that because they freely admit that they they're not responsible for that.

00:17:10:10 - 00:17:41:15

So they can't give us, um, assurances beyond, um, what is set out in the Olam. Um, and it seems to me from reading the documentation that because the soil inherently doesn't suffer from the problems that the soil management plan is set out to prevent that. It's almost entirely as a consequence of the scheme that the soil management plan is necessary. Not any inherent issues with the land itself.

00:17:41:21 - 00:17:51:18

So the benefits are there more to prevent damage from the solar scheme, rather than from somehow enhancing the status of the land?

00:17:52:17 - 00:18:17:00

Okay, I'm slightly confused by the district council's position now, because that sounds like it's a more of a larger concern about restoration back to agriculture as a much wider issue. Whereas I assumed from reading the the district council's, you know, reps that, um, the soil management plan was largely acceptable, but there was an issue in terms of sheep grazing. There seems to be quite a shift of position.

00:18:17:14 - 00:18:50:16

So sorry, I'm Sam Franklin again. I'm not. I'm not raising, um, if you like, a fresh issue. I'm just, um, pointing out, sir, that the the soil management plan is there to prevent damage from the scheme. Um, the the grazing issue. I think we've set out that that the, um, the applicant is unable to, um, at this stage anyway to deliver. Uh, definitely the grazing, though it's clearly a desire.

00:18:51:01 - 00:19:10:19

I think that the, the council's position is that they would prefer to see the land grazed, if that's possible. Um, or to see a condition that that, uh, um, sets out the how they would, they would, um, go about introducing and managing the grazing, albeit at the lower density envisaged.

00:19:12:13 - 00:19:14:08

Okay. Thank you. That's that's useful.

00:19:15:00 - 00:19:47:01

North sea district council. Yes, I think I think the point Mr. Franklin is making, which is in accordance with our air, is that insofar as grazing is being relied on for the mitigation, then we'd request a requirement because otherwise it's just aspirationally secure through the Olympe at the moment, and that doesn't actually secure grazing. And therefore, in the absence of any security, that grazing will actually take place. And through a requirement or a tweak to the owner which actually obliges grazing to occur, not not purely for just the aspirational.

00:19:47:05 - 00:20:01:15

Then, as Mr. Brightman set out, the wider concerns about mitigation proposed for that local management plan so that that's the point. Our primary position is that in order to secure what's being suggested, we request or suggest that a requirement should secure grazing.

00:20:01:23 - 00:20:12:18

Okay. Thank you. That's a useful summary. And that's clear to me now. Thank you. Anything from the applicant in terms of those suggestions about a requirement or some additional wording and the.

00:20:12:20 - 00:20:47:13

Oh yeah. So to confirm, as I've said, we don't rely upon the grazing of mitigation we've set out in the Olympia. We say opportunities for grazing will be considered where practicable and is viable, with details such as timings and stocking densities to be provided in the lamps at the detailed design stage, so we don't rely upon it. Um, there's no justification for requirement. I would query the extent to which it would be actually enforceable. Um, we have the soil management plan is there to prevent damage from the scheme. There is the potential for improvements to soil health by virtue of not being, um, farmed during the period of the scheme.

00:20:47:23 - 00:20:59:08

I would also just note the soil management plan, um, subject to one point about winter working is agreed by Natural England, and we can confirm that, as I've said at deadline three. Um, so I yeah, there's nothing more I can say on that.

00:21:00:13 - 00:21:30:15

Okay. Thank you. Anything else from this? No. Okay. Thank you. Um, on a related matter, the applicant has set out, uh, that following changes to the National Planning Policy Framework in December 2024 that amended the previous footnote 62, which is now footnote 65, to remove the need to consider the availability of agricultural land for food production, that there is no longer a need to consider food production and land use planning terms.

00:21:30:23 - 00:21:36:08

Is that a position that's accepted by the local authorities? Maybe if I can come to the county council first.

00:21:37:09 - 00:22:07:20

John Hunter, on behalf of the county council. Uh, no. Um, we are of the view that food production still remains a material planning consideration, having regard to the various policy statements. Uh, in particular, in one paragraph five 1134, Secretary state has to take into account the economic and other benefits of being by land where it is being used for a development. The economic and other benefits are clearly referable to the use of the land for food production. It's a similar policy in the NPF.

00:22:08:17 - 00:22:59:22

Uh, in paragraph 187B and I note that although there has been a change to the NPF in that footnote 62 was removed. It is clear from the government's responses on consultation to the consultation on that change, that their policy regarding food security and its importance remains the same. And they thought that was simply not a helpful addition to the NPF and therefore removed it. Um, I think we'd also note that the although there has been a change of government, the written ministerial statement from 2024 hasn't been revoked, and that drew particular attention or said that what was particularly important was the cumulative impacts in areas such as this where there obviously food production is a particularly key issue.

00:23:00:00 - 00:23:28:19

And there is, as I said earlier, on an unprecedented scale of solar farm development. So, in short, we remain of the view that there's nothing in any evolution of national policy to say that food production has ceased to be an important material planning, consideration to be weighed in the balance. Indeed, I say, until the written ministerial statement is revoked or changed by some other iteration of government policy. It is an important consideration in the overall planning balance.

00:23:29:14 - 00:23:31:13

Okay. And the district council, police.

00:23:32:07 - 00:23:35:15

Officers and district council opposition is the same. So I don't need to add beyond that.

00:23:36:01 - 00:23:39:03

Okay. Thank you. And I'll obviously turn to the applicant now please.

00:23:40:13 - 00:24:22:07

Miss Coleman, for the applicant. I'm picking up the point on the written ministerial statement. First. Um, that is referenced in, I'd say most Secretary of State decisions today. I think definitely Westbrook and Cottam gate Burton and Headington Fen um described by the Secretary of State as emphasizing certain aspects of the policy in the 2024 NPS, so it doesn't introduce any new policy over and above what the NPS is cover. There is a reference in there to food production, but it's quoting the footnote from the MPP that was subsequently deleted. Um, I think, um, we've addressed in the um, questions in terms of economic benefits and talked about the impact of that, especially in terms of the, um, agricultural businesses that sort of impacts that we've assessed.

00:24:22:09 - 00:24:59:14

But we can perhaps expand on that point in writing. Um, I'd note in any event, the, um, decisions that were pre the change to the NPF have considered the impact on, um, best and most versatile land and food production, um, in Lincolnshire, um, for schemes including this scheme and have found the impact to be small in any event. So the extent you're against us on this point of the Secretary of State is, um, in any event, it's a small impact, um, that should be given limited weight, given the very small amounts of land and the impact, um, when considered both cumulatively, but and at the, um, more regional and county level.

00:25:00:12 - 00:25:10:20

Okay. Thank you. Do the local authorities agree that any if we were to find that food production was a relevant planning matter, whether the impact would be small overall.

00:25:12:16 - 00:25:51:19

I think it's been one, but I think puts it in percentage terms. It can appear that way. But I think as has already been, uh, referenced, uh, by Mr. Franklin, um, the loss, albeit for a 40 year period. So a long term, albeit ultimately reversible loss is still is still way above what's considered, uh, significant adverse by the EMA. There's also the point, I think just in in response to what said about half of the applicant about previous decisions, obviously there is an incremental issue, almost as there might be with green belt cases where bits are taken away incrementally.

00:25:51:21 - 00:26:09:13

And obviously that is what is happening in Lincolnshire. And this is a large scheme. There are other, uh, schemes that have been referred to, so the effect becomes greater over time. So I think we'd say one might say it's small in percentage terms, but its significance in planning terms is is large. We would say.

00:26:10:10 - 00:26:14:11

Okay. Thank you. Any final thing from the applicant?

00:26:15:09 - 00:26:32:03

It's common for the applicant, only to note that those early decisions I've referenced have included Springwell as part of as part of that cumulative assessment. Probably overestimated the BMV impact, I would suspect, because they'll be reliant upon the different mapping available at the time. Um, but we can draw that out in a written response.

00:26:32:15 - 00:27:05:16

Okay. Thank you. Um, just before we move on to, um, matters associated with sort of groundwater and contamination, um, the, um, local authorities, they produce their own cumulative assessment, um, of, um, loss of BMV land, uh, across the district. I just wondered if the applicant had any comments or, um, or whether you accept the, the revised figures. I think it was, uh, based on sort of an updated, um, list of other sites and the removal of sites on the boundary with Nottinghamshire.

00:27:05:18 - 00:27:10:04

Maybe the the council can can just confirm Um, that approach.

00:27:11:08 - 00:27:41:17

John Hunter County Council again? Um, yes, I think it was the exercise that was carried out was firstly to exclude those, uh, parts of sites slightly outside Lincolnshire and Nottinghamshire. Just look at Lincolnshire and to add in a number of other schemes, I think that we thought ought to have been considered in the cumulative assessment as well. So it's a different calculation. Um, it's, it's confined to Lincolnshire and includes additional schemes. But the figure was 1.4 that we arrived at.

00:27:42:02 - 00:27:49:22

Okay. Thank you. So I just wanted to give the opportunity to the applicant to make any comments on, on that sort of a slightly different assessment.

00:27:49:24 - 00:27:54:22

Thank you sir. That's helpful. Um, if we can pick that one up in writing at deadline three, that would be okay.

00:27:54:24 - 00:28:27:10

Thank you. Okay, we'll move on to, um, unexpected contamination. Um, and I'll ask the Environment Agency to come in at this point to. So, following the concerns of the Environment Agency about unexpected contamination, the applicant amended the Outline Construction Environmental Management Plan to include a procedure. Should this occur, and the Environment Agency consider that it should be set out in a requirement within the draft development consent order, rather than in the management plan.

00:28:28:10 - 00:28:37:24

Um, so first question to the applicant, please, is, uh, could you provide some more justification for each location in the management plan rather than a requirement itself.

00:28:39:00 - 00:29:25:12

On the applicant? Um. Thank you. So this this reflects, I think, the only outstanding point with the, the EA. Um, just to be clear, we have, um, we do accept the measures that they're proposed in terms of unexpected contamination. So the point, as you say, is very much just where that commitment, um, sits and how it's secured. And we've had, um, correspondence and, and a call to try and resolve the point with the e I suspect we will get to is that we may not reach agreement, but, um, our position is that it should sit in the outline construction environmental management plan, which has been our approach to, um, drafting the DCO, um, that reflects best practice and standard practice and is allowed for and um, anticipated really by the um, advice.

00:29:25:14 - 00:29:56:23

Note 15 in terms of drafting development consent orders, in terms of the use of those management plans, um, there's no specific contamination risk here. So this is purely a precautionary process that's put in place for unexpected fines. Fines? Um, there's a clear requirement in the camp. We need to, um, comply with the approved camp. So it is enforced by the camp. Um, I understand part of the concern from the EA is that the process requires further approvals, but those can be secured via the process in the in the camp.

00:29:57:01 - 00:30:27:02

I think one advantage as well is, is that the process is set out at the moment in the outline camp. But um, we would envisage when we submit the detailed account for approval, that that process could be expanded upon in some more detail added to that which lends itself again to being in the in the camp. Um, the EA is a consultee to that requirement, so they will be able to review the camp at that time and make sure they're happy with that. Um, I would also just note in terms of the there being no, um, specific contamination risk here that that is that they're concerned with.

00:30:27:04 - 00:31:03:09

I think that's reflected in the made solid echoes today, most of which don't have, um, this requirement. Um, on the face of the order. There are examples of an unexpected contamination requirement in orders, but they do tend to be in more industrialised areas or non rural areas where there is, um, greater and perhaps identified risk for contamination. So for example, net zero Teesside very supports projects Thames Tideway um which are a different nature to what we have here. Um, so we maintain the position that it should sit in the, in the outline, Construction environmental management plan.

00:31:05:11 - 00:31:16:19

Okay. Thank you. Could I ask the E to jump in at this point? Uh, and whether you could just provide a bit more explanation about why you consider it should be, uh, within a requirement of the DCO itself?

00:31:18:21 - 00:32:02:13

Yes. Thank you. Annette Hewitson for the Environment Agency. Um, we welcome, obviously, the procedure having been set out in the camp. Um, but due to the fact that we're in rather a sensitive area here for groundwater resources that do actually provide significant quantities of drinking water and accept that, you know, the risk of contamination is low. It is because of that sensitivity. We want it really clear that should the, um, applicant come across some contamination, that it's actually dealt with appropriately and that it's very clear that we have a role in, uh, reviewing what is there and that the remediation that's going to take place.

00:32:02:15 - 00:32:35:03

So, um, in terms of it being in the camp, we see that as the the camp will be, um, approved prior to the work sort of starting and that that's absolutely fine. But this is, this is to make it very clear that once those works have started, that if if contamination is discovered, that work should stop in that area, and we want it very clear that we then have that role to play as a consultee to whatever, you know, what is found and how it is remediated.

00:32:35:24 - 00:33:12:05

Um, I think there's there's the added complication in the way that the DCO is drafted, um, in terms of it carving out, um, remediation as a permitted preliminary work. Um, but I appreciate that they have actually carved that out in requirement 12 for the camp. But we remain of the view. This needs to be on the face of the DCO to make sure it's clear to all parties what is required. And I noticed the applicant said that, you know, this is this is preceded in other DC as it is a specific requirement in several.

00:33:12:07 - 00:33:27:11

And she says that they're in more industrial areas, but the most recent is actually the Viking carbon capture storage pipeline, which is a pipeline that goes through some rather rural areas. So it's it's not just confined to diesels that are in industrial areas.

00:33:28:18 - 00:33:45:00

Thank you. Thank you. And just just what your you're on there was um, yeah. You considered that the actual wording that the applicant added, um, to the management plan was too restrictive. Um, could you maybe just expand on that point?

00:33:45:12 - 00:34:14:04

Um, yes. We we provided some, um, draft wording about work within the confines, you know, in the sort of vicinity of where the work's taking place should be halted. not necessarily put the halt to the entire development. And I think the way it's worded in the Kemp, you know, that all work should stop. And that's that's not the sort of restriction that we were insisting upon. It seemed more onerous the way it was worded in the Kemp than the way the wording we'd suggested for the requirement.

00:34:14:24 - 00:34:30:21

Okay. Well, turning to the applicant now, will more discussions be taking place between the two parties in terms of the wording on the side slightly, where it should be placed, but in terms of the actual what it says, could we have a hearing action maybe to to discuss that further.

00:34:31:05 - 00:35:11:08

With the applicant? Yes, certainly. If the E suggests it's too onerous, we can't really look at that drafting and discuss that with them. I suspect we might have exhausted our discussions in terms of where it sits, but we'll definitely, um, have discussions and I'm sure we can reach agreement on the actual wording itself. I would just, um, add just to be very clear, in in requirement 12.5, we have um, made sure that remedial works do trigger that requirement, so they're not permitted criminal works that mean that they can be done before the camp is in place. Um, and then requirement 12, paragraph four does require that once the camp is approved, that the authorized deployment needs to be undertaken in accordance with that camp.

00:35:11:10 - 00:35:25:19

So any procedures in there, any further approvals that that approved camp contains, we obviously need to comply with um, and and obviously we'll do so. Um, but yes, we'll take the point away in terms of discussing the actual drafting itself.

00:35:26:08 - 00:35:58:12

Okay. Thank you. Um, on a slightly related matter, um, there's been significant concerns from interested parties about leaving cables in situ, uh, during contamination, uh, sorry, during decommissioning and the potential for the contamination, uh, particularly from the plastic coating of cables. Um, the applicant, in response, set out that the approach reflects common practice, uh, for electricity distribution network operators, infrastructure such as substations and the associated export cables.

00:35:58:16 - 00:36:21:03

And it is not anticipated that the cables that are left in situ below one meter buried underground would cause any contamination. Um, I just was hoping to get the views of other parties on that. Maybe the Environment Agency first. Whether you accept that that is the common approach of of, uh, doing things in terms of cables once decommissioning commences.

00:36:25:09 - 00:36:45:21

Annette Hewson for the Environment Agency. Um, I'm afraid that's somewhat beyond my area of expertise. But what I would say is that, um, we would review the situation at the time of decommissioning and we would, um, make comments in terms of the current environmental guidance, policy and good practice that's in force at that time.

00:36:46:23 - 00:36:52:12

Okay. Thank you. And the district? Sorry, the local authorities, starting with the county council.

00:36:59:04 - 00:37:12:09

Justine Foster for Lincolnshire County Council. Um, obviously you can break this down into a number of potential investors and agricultural impact around agriculture, but I think what you're looking at is potentially contamination. Yeah.

00:37:12:14 - 00:37:19:00

The concern was that, um, you know, if you leave the cables in the ground permanently, there could be contamination from the plastics around the.

00:37:19:02 - 00:37:25:04

In that case. Um, could I respectfully pass it over to my colleagues at Norfolk District Council as the pollution control authority?

00:37:25:06 - 00:37:25:21

Thank you.

00:37:28:21 - 00:37:43:15

Stephen. District council. So I might bring Mr. Franklin here at this stage to answer that in part. I think our position is that, um, that we're quite happy that the general approach is to lead the cables in the ground and have a strong objection to that. But if Mr. Franklin's got anything to add, I'll ask him to do so now.

00:37:43:18 - 00:37:44:14

Okay. Thank you.

00:37:49:16 - 00:38:30:13

Sir Sam Franklin for North Kesteven. And I think our concern was more about, um, if you like, unnecessary further disruption to the soil, having to remove the cables from depth at the end or at decommissioning. Um, I'm not myself an expert on, uh, the pollution, uh, aspects that, uh, you might raise with the Environment Agency and others. It was more to do with what we felt might be unnecessary, um, agricultural disruption of the land, uh, to remove the cables if they were considered safe, uh, buried permanently.

00:38:31:14 - 00:38:36:16

Okay. Thank you for that. Okay. Um, we're going to move on to.

00:38:36:18 - 00:38:38:00

Can I just respond to that?

00:38:38:02 - 00:38:38:17

Yes.

00:38:38:19 - 00:39:14:13

Of course. Yes, miss. The applicant. Um, I think as as you've said, and I understand from an agricultural perspective, it is better to leave them in the ground at deadline two. We've updated the outline decommissioning environmental plan just to confirm that that is the intention. However, this will be dependent upon the legislation and industry industry standards at the time of decommissioning, and that's at 2.3.4. So we agree with what the EA has said in that respect. And at that point, when the Dem is is approved, it is also consulted upon with um, Lancashire County Council, the Environment Agency and Natural England.

00:39:14:15 - 00:39:30:05

So if there is a different approach at the time of decommissioning, because we appreciate that is um, 45 or so years into the future, we have built in the ability for that to for them to be removed, if that's the best approach at the time, in consultation with those consultees.

00:39:31:00 - 00:40:17:17

Okay. Thank you. We'll move on to another subject. Now in terms of fire water, I have noticed, Mr. Mitchell, you've had your hand up for for a while. I will come in to all interested parties at the end of, um, the topic on the agenda. So I will come to you in due course, but we will complete the questions that I've got for the parties first. Okay. Um, fire, water. Um, and the management of search from the best. Um, the applicant has stated in response to written question 1.9.9 that the drainage system is designed to capture fire water during a thermal runaway event where it can be tested and released, or, if necessary, removed by tanker and treated off site, uh, in consultation with the relevant consultees.

00:40:18:04 - 00:40:45:16

Uh, at the time, however, the Outline Operational Environmental Management Plan states to manage the potential impact of fire water associated with the best, a tanker will remove fire water from site from site, preventing accidental release to the surrounding environment. Um, should the outline Operational Environmental Management plan be amended to include reference to the drainage system capturing all fire water.

00:41:00:16 - 00:41:20:09

I do have a battery expert who can perhaps confirm what the arrangement arrangement arrangements would be, and then perhaps the more detailed point about making sure that what we've said in each plan is consistent, we might need to take away. But if I can pass to, um, Mr. Gregory in the first instance. Thank you. That can help at least clarify the issue. And then we can look at the, um, the drafting.

00:41:21:00 - 00:41:21:16

Thank you.

00:41:26:06 - 00:42:01:18

Excuse me. Uh, Paul Gregory for the applicant. Um, so with regard to firefighting, uh, water runoff, for best incidents, the overall approach is to manage issues and to avoid the risks, um, By identifying and assessing the risks and consequences, followed by tailor mitigation to capture, contain and test and appropriately dispose of of surface water runoff, uh, to fully align with UK regulations for firefighting, water runoff, and therefore stopping a pathway to the potential source of contamination and receptors.

00:42:02:11 - 00:42:32:17

Um, the applicant and the the at the first meeting in June 2023 and have continued discussion um with the latest meeting on the 3rd of July 2025. Um the draft statement of common ground with the EA, the key agreements were made in uh 2.8, which was surface and air, water drainage, uh 2.1 mitigation measures and 2.11 with the EEA as a consultee on the outline battery safety management plan.

00:42:33:06 - 00:43:03:12

All matters related to the best and firefighting water have been agreed. Um and the eight in the relevant reps, 7.7 and 12.1, reflect that the is pleased with plans for the Future Emergency Response Plan and their intended participation with them, including the management of firefighting water and from the Outline Battery Safety Management Plan perspective and sections 5.6.

00:43:03:14 - 00:43:34:19

5 to 5 .6.1. Clarify as you referred to, how it how it will be managed and basically that the site and best design principles and the ERP content will ensure that Lincolnshire Fire Rescue are expected to employ a defensive strategy, which means that only boundary cooling should be employed for the cooling of adjacent base or associated support and equipment. This ensures that environmental pollution risks are minimized.

00:43:34:24 - 00:44:13:14

So boundary cooling typically involves firefighting, directing water, fog, or spray pattern discharge to ensure that the incident does not spread to adjacent enclosures. As described this morning and now a large scale, full scale fire tests are mandated for each best design. So again, those tests must be completed without any intervention, even for boundary cooling requirements. And the FCC guidance states, if it can be confirmed that the recommended firefighting tactics for bass is to defensively fire fight and boundary call whilst allowing the best to consume itself.

00:44:13:16 - 00:44:51:18

This reduces the water requirements and thus the drainage environmental protection requirements significantly. And the firefighting water runoff may contain particulates from a fire, but that runoff must be contained and tested before being allowed to discharge to the local watercourses, and the water contained by the valves will be tested and released, or, if necessary, removed by tanker and treated off site in consultation with the relevant consultees at the time. Pollution analysis will always be conducted before removing from site if polluted, or releasing into drainage systems if safe to do so.

00:44:52:01 - 00:45:24:17

I think the final element of that is with boundary cooling. The ingress protection of the adjacent best enclosures will be shared with Lincolnshire Fire Rescue, so that the risks associated with boundary cooling are understood and implemented in the emergency response plan. So water ingress points such as the HVAC units and deflagration vents will be considered as part of the incident response strategy, and the protective provision will engage in fire rescue within the draft.

00:45:24:19 - 00:45:35:23

DCO includes ongoing site familiarisation and ensure that first responders know how to deal with a thermal runaway away event. Best failure should one occur.

00:45:38:12 - 00:46:07:00

Okay. Thank you. Can I just ask the environmental agency to jump in? The reference was made there to, um, a further meeting more recently. And I know that I was gonna ask a question about, uh, additional information that the Environment Agency considered necessary, uh, in terms of the best emergency response plan. Um, can I just ask if that's the meeting is now overcome your concerns, or are there any remaining areas that, uh, remain?

00:46:09:14 - 00:46:34:23

Inaccurate for the Environment Agency? Um, I'm afraid I wasn't present at that meeting, so I'm afraid I don't know the details of what were discussed, but as far as I'm aware, um, there aren't any outstanding matters in respect of this, because, um, we will be a consultee to the battery, um, emergency response plan, and we'll have an opportunity to comment on, on anything that's proposed that that stage which they were satisfied with.

00:46:36:02 - 00:47:03:00

Okay. Thank you. Um, okay. That's all the questions that I have on this, uh, agenda item, uh, will now open up to interested parties. Uh, the same applies in terms of, uh, points made, if they can be new points, please. Uh, obviously previous points around, uh, groundwater in the best. There's been significant concerns raised about that, and we are aware of those concerns. Um, Mr. Mountjoy on line, I know you've had your hand up for a while, so we'll come to you first, please.

00:47:06:21 - 00:47:38:08

Thank thank you, sir. And I hope that's that's coming through. Um, I have new points to make, and they relate to the soil classification. Um, I stated collocations and things at the start. I won't do that, but I have rather prepared a statement which I will, uh, work through. But quickly for you. And thank you for offering me the opportunity to do that. I'm referring in my comments here, particularly to Springfield West, to illustrate the points. Although by and large my comments will will translate across Springfield central and East.

00:47:38:22 - 00:48:10:01

And to refresh, if I may, briefly, because I've kept this to within five minutes and it will be less and I could spend all day on the subject. There are over 753 soil types across the UK working into the agricultural land classifications, grades 1 to 5. We're talking here about three soil types predominantly found on Springfield West being Markham and Nelson. One in the small area of Ashby. And I'll show

you in a minute. The south of site and extending across the majority of the rest of the sites, I'm going to display two maps. This isn't great, but it's for very, very basic terms.

00:48:10:03 - 00:48:13:22

You will see from this map that the majority is green. You'll see a spot in the middle.

00:48:14:05 - 00:48:20:17

Would you be able to provide those in writing at deadline three? It's just not very easy for us to see on the screen.

00:48:21:00 - 00:48:56:04

And I understand that if I can continue, that would be appreciated. The majority of that map you'll see is green. There was a mark in the middle of it. In the pale blue. Green is marked good to moderate. Pale blue is marked very good. Springwell is in the very good land primarily. And the second map and I do again, I apologize and say you may pull me up, but there is the second map on which the light area is grade two graded, and the spring well is marked in there, you'll see that the majority of that is on grade two Arkham series soils.

00:48:56:21 - 00:49:27:09

And the description of Markham three for three soil types is described as well-drained, calcareous, coarse and fine loamy soils over limestone and some deeper soils. And I'm coming to the point suitable for a wide range of cropping including potatoes, sugar beet and cereals. Elliston one is a similar description as we series slightly heavier and towards the east of the holding. There are large areas available for such a site as spring well to be on poorer quality land, and that's the purpose of my plan now that showed the majority of the area to be green.

00:49:27:17 - 00:50:01:10

Not like blue as spring will is. And I'm saddened to note, and I quote the applicant's own words in S 251, which concedes that alternative sites were not considered by the applicant because they would be further from the point of connection, and therefore less efficient, and without a willing landowner wanting to participate in the scheme. Not only a CLP policy S60 seven not been met, it has been entirely disregarded, as has the aims of Green Futures, a 25 year plan to improve the environment one.

00:50:01:12 - 00:50:33:19

One that makes it abundantly clear that LPA should adhere to the aims of NPF and should protect the best agricultural land and put value on our soils as natural capital again disregarded. If I may turn to cropping on the land in question, it grows a range of crops including potatoes, sugar beet, spring malting barley for which this is one of the most important areas in the country. Vining peas, oilseed rape and Lucerne. And a key quality of grade two land is its versatility, and this range of cropping demonstrates that versatility.

00:50:34:09 - 00:51:09:09

Soils may be described as drought, not particularly evidenced by what you'll see driving around on Friday on Spring Wild West in particular early. Combining spring barley in the locality, disregarding the crops on poorest soils is, despite expectations approaching seasonal averages. And although early in the season, this is testament to the land's land's ability in a dry time. Worth noting, too, that last

year, in the wet autumn and spring, this land was drilled and cropped when grade three land such as the Trent Valley to the west and the surrounding fence to the east was uncropped due to waterlogging.

00:51:09:13 - 00:51:39:15

The heath is the epitome of what we can call best and most versatile. And if I may turn, sir, to the subject of irrigation. I have not read anywhere in the application of the availability of irrigation to this land, particularly to Springwell West. It is worth noting that the landowner, some 15 years ago, successfully applied and received a seven figure grants under the Rural Development Program for the installation of reservoirs and underground mains and associated equipment.

00:51:40:05 - 00:52:11:03

I have not read the application, but such applications, of which I have prepared several in my experience, make much of land quality, adding value to crops, creating jobs on the farm and in the surrounding economy up and down the supply chain, as well as environmental enhancement. A proposal to create large solar farms seems to reverse most of these commitments, and the application would be predicated upon potato production, and it is generally accepted that the availability of irrigation improves land quality by one grade, improving grade two to grade one.

00:52:11:05 - 00:52:41:05

In this case, reference map fails. See England and Wales 1998, page 21, and in this case with the assistance of public money in addition to private investment. I live half a mile to the west of Springfield West, and the last two years all four sides of my property have grown potatoes with irrigation. Not from this site, and yield and quality have rivaled those that we achieve. On Holbeach Marsh, where I'm a director of farming company farming, some of the best grade one soils in the country, that is. Such is the quality of heathland with water.

00:52:41:23 - 00:53:16:01

And my point is the availability of irrigation is a factor not considered by the application in soil classification when it should have been. But maybe the soil testing was not advised of the availability of irrigation, or did not notice the existence of the reservoirs in the classification of soils on spring or west, or even disingenuously, perhaps ignored the benefit of irrigation which transfers the performance of grade two land to match that of grade one. Indeed, the applicant comments on land resources at 212, observing that the main limitation to agriculture is soil drought.

00:53:16:03 - 00:53:46:18

In this, as we march from an 11 one soil sort of associated soils I referred to is volumes three, appendix 11, yet fails to mention that irrigation is available on these soils in this situation. And I understand there's a visit and a drive around on Friday, and it seems there will be little evidence of higher value crops, I fear, or the operation of irrigation. And that's not because of the few millimeters of rain in the last 48 hours. I've made some comments early on battery and you asked me to refine these.

00:53:47:03 - 00:54:27:09

Uh, some of those have already been made, but the porosity of the soil types on which we're looking at makes me very concerned that without a concrete bonded pad under such battery insulation, how water is going to be contained and carted away, I have no doubt. So in conclusion, sir, very quickly,

I've firstly shown that there have been no regard to alternative sites and that Springwell is sited almost exclusively on land of the best and most versatile quality, some 85 to 80% in fact of the application site, I've highlighted the availability of irrigation to the site, not elsewhere discussed aggressively, and further enhances the productive capacity of the main soil types.

00:54:28:01 - 00:55:03:01

And I've cited concerns of the suitability of the geology of Lincolnshire Heath for battery systems in the absence of clearly understood control measures for containment of fire or other breakdown. The above leads me to the inevitable conclusion that Springwell application is substantially contrary to guidelines and principles, and its promotion on land not considered BMV. It is at best mendacious. As such, I urge that the application is refused on these grounds alone, as its cost to the environment and the loss of food production being discussed a moment ago is not exceeded by its benefit to energy production.

00:55:04:01 - 00:55:16:01

I thank you for your time just to run through that with you, and I will provide those maps and some of that text as you request, and as the arbiter of the people's view. I wish you well and Godspeed in your deliberations. Thank you.

00:55:16:14 - 00:55:29:02

Okay. Thank you, Mr. Mountjoy. Um, we'll come to all of the other interested parties first, and then we'll go to the applicant. Just in the interest of time. So, um, was it Mr. Frost had your hand up if you'd like to come in now. Thank you.

00:55:34:00 - 00:55:35:07

Thank you. Yeah. Paul frost.

00:55:35:11 - 00:56:09:09

Um, I, I was listening intently with the discussion about, uh, temporary and long term infrastructure and, uh, whether it could be called temporary or not. Uh, and in my reading today. And I might have missed something in this, but in my reading today, the concrete, um, it's not going to be removed in the decommissioning is my understanding. Therefore, how can it possibly be temporary if the concrete is going to remain? So that's that's my question.

00:56:09:11 - 00:56:17:00

I just I just don't understand that point, how someone can say it's temporary, but then leave it covered in concrete. So. Thank you.

00:56:18:03 - 00:56:23:10

Okay. Thank you, Mr. Williams. I'm sorry. Yeah, please.

00:56:24:00 - 00:56:24:15

Thank you.

00:56:24:17 - 00:56:54:17

Representative Scott quick. Um, you already have my submission. As far as soil is concerned, that it's, uh, contamination degradation. This is just one of two things I would like to add, if I may. Um, the proposal includes 13,000,000m of electrical cabling. And after 40 years, they plan to leave behind 1,000,000m of it underground. That's 500 tons of plastic, plus heavy metals and toxic chemicals used in the installation.

00:56:55:14 - 00:57:17:12

This material, cross-linked polyethylene xlp, is non-biodegradable. It will remain in the soil permanently, rendering it permanently contaminated and unfit for future use. The developers claim that the land could return to agriculture after 40 years is not supported by this evidence.

00:57:21:06 - 00:57:55:07

The bigger picture is food security and ecological balance. The Lincoln heathland is vital agricultural land. Currently, it's used for rotational farming, a practice that replenishes soil nutrients and fosters biodiversity. Replacing it with solar panels. We not only take this land out of production, but it would also put our national food security at risk. Lincolnshire feeds Britain and to replace fertile farmland with cables, concrete and chemicals is simply irresponsible.

00:57:56:09 - 00:58:29:07

This proposal isn't just about renewable energy, it's about responsibility. We can't afford to sacrifice our fertile land for a project that leaves behind toxic waste and leaves the land forever unsuitable for farming. This proposal also goes against national policies designed to protect our land. The National Planning Policy Framework NPF, in paragraph 183, stresses that development should avoid risks from pollution.

00:58:30:01 - 00:59:01:07

While paragraph 187 requires that developments be appropriate for their location and should not damage soil health or agricultural productivity. The National Policy Statement, Ian one, also emphasises the need to protect agricultural land and ensure that large scale infrastructure projects do not irreversibly damage land, water or ecosystems. The Springwell solar Farm fails to meet these standards.

00:59:02:22 - 00:59:37:02

So in conclusion, Lincoln Heathland is a national treasure. When it comes to agriculture, this proposal threatens to destroy over 3200 acres of fertile land, leaving it contaminated and barren. The soil will be forever damaged and its ability to support agriculture will be lost. The contamination of the land and the long term impact on local ecosystems will affect our food security and the health of our environment for generations.

00:59:38:17 - 01:00:09:01

Solar energy is important, but it must be pursued in a way that does not come at the expense of our land, our health, or indeed our future. There are other, less damaging alternatives for renewable energy. We cannot afford to sacrifice this land for a project that will leave it permanently unusable. I urge you to reject the Springwell solar farm application and And choose smarter, more sustainable solutions.

01:00:12:20 - 01:00:14:24

Okay. Thank you very much, Mr. Williams.

01:00:15:21 - 01:00:19:04

Mark Williams, Springwell action Group. Some very brief points.

01:00:19:12 - 01:00:20:03

Well, I fully.

01:00:20:05 - 01:01:11:24

Respect all the expertise in the room. I do question some of their findings. As Simon just said online. The classification of the soil has been so under marked by the applicant. Um, with the irrigation available to the estate. The soil quality is fantastic on that farm, and that's has been agreed by farm estates either side of Blakeney Estates. Um, we have had a speaker in the previous in the last, um, sessions that we had back in May who worked for one of those other estates, um, who's basically said the land quality and Blankness Estates is some of the best quality soil in the UK, so it would be absolutely abhorrent to take that out of food production.

01:01:12:24 - 01:01:43:16

There is real recognition across other examples of where bosses etc. have have failed of contamination. There is no denial. There could be contamination. Okay. Um, there have also been precedents set where other best applications have been, um, turned down, um, where one of the requirements has been that the best site has to be fully bonded.

01:01:44:04 - 01:02:21:06

So a concrete pad with sides around the entire best to prevent any contamination. So it's not acceptable to say some contamination, a little bit of contamination, possible contamination. There should be no contamination. Currently there is no Contamination. So if there is any contamination, it's a negative. So if this plan was to be consented to, the entire Bess site needs to have a concrete pad with sides to prevent any water getting into that soil.

01:02:21:09 - 01:02:33:09

That has to be a requirement. As per Simon's comment about irrigation. The the applicant has conveniently ignored irrigation.

01:02:35:01 - 01:02:52:22

Blanketing estates benefits massively from irrigation. They in fact share some of the benefit of that irrigation with farms next door to them. So we need to make sure that that is fully recognised. Thank you very much.

01:02:55:06 - 01:02:57:16

Okay. Thank you, Mr. Herd.

01:02:59:22 - 01:03:45:00

Thanks, sir. I heard of Nathan, the um. In response to Ncdcc ncdcc concerning their LR regarding use of BMV land. The applicant states the applicant has sought to avoid and reduce the amount of BMV

used for solar PV and other infrastructure development in ES. Volume one, chapter four power 4211. Regarding reasonable alternatives considered states. The applicant sought to develop a single new nationally significant Infrastructure Project scale solar project, generating a minimum of 250 to 500MW based on a site comprising a minimum of 1000 acres.

01:03:45:21 - 01:04:21:06

So, in the applicant's own words, a project footprint of a thousand acres delivering 250 to 500MW must be commercially viable. If even based on the applicant's sought own soil classification. Classification only non BMV land. Within the order limits were to be used, it would sit within the category of 250 to 500MW on a thousand acres, or on at least a thousand acres, if only being of land within within the orders with all the limits would be used.

01:04:21:08 - 01:04:35:05

It would sit in this category. So the applicant has not has not sought to avoid and reduced the amount of BMV land used for solar, for solar PV and other infrastructure within the order limits.

01:04:36:24 - 01:04:38:24

Okay. Thank you, Miss Overton.

01:04:39:09 - 01:05:15:12

Thank you very much. I did talk about the value of the crops previously, so I just want to refer to that. But what I wanted to pick up was that the percentage of land was mentioned. But what we're also talking about is that this is the very best land. And as I mentioned, it's it's the best among the best in the world. And therefore it is just nonsensical to cover it with, um, industrial development. The issue on the water, I think it's important and it is a very significant part of our drinking water in this aquifer.

01:05:15:23 - 01:05:46:07

And the proposals in some of them to, to, um, contain the water. You've also got it's very difficult to make it actually a large enough container considering considering the amount of water that you'd need to cool adjacent units. And indeed, when you've got over a thousand on the site, that's going to be an awful lot of water. And I, I really struggle to see the practicality of how that's going to work. One of the suggestions was to drain it off as it arrives.

01:05:46:09 - 01:06:19:15

So you're cooling and draining it. But the complication with that is getting a person close enough to do that. It's not easy. So I would like to see the details of this plan, because I'm not sure it can even work at all. We've got unprecedented scale of industrial developments here. Risky. What we see is risky, untried and untested to that level, because it's an unprecedented scale of development that we're seeing. So, yes, there have been incidences before, but this is a big scale that we've got here that we've never had before.

01:06:19:17 - 01:06:23:02

And that's why it needs extra care and attention. So thank you.

01:06:24:06 - 01:06:30:12

Okay. Thank you very much. I think that's everybody. So I'll ask the applicant for any response please.

01:06:31:14 - 01:07:19:13

It's common for the applicant. Um, firstly, just responding to Mr. Mountjoy, I think a lot of those comments go to, um, site selection and the design of the scheme. Um, we've obviously BNB has been a factor. Um, as part of that site selection as we've set out in the site selection, um, assessment. Um, it's not the predominant factor. And there are other factors that have also informed site selection as provided by M3, so it will always be a balancing of various environmental factors. We've set out in detail, including in response to first written question, 1.9.1 in terms of site selection and design, and the steps taken to avoid and minimise the use of BMV land in national policy, and the Design Approach document is also another document that helps in terms of the layout and design within the site.

01:07:19:24 - 01:08:03:02

How we've minimised the use of best, most versatile land and justified where we have used it, and that will generally be for other environmental factors and concerns. In terms of the criticism of the survey itself and points about irrigation, I will once shortly pass to Miss Ryan to just cover the irrigation point. I would just note, though, that the ALC methodology has been agreed with Natural England and the local planning authorities. In terms of Mr. Frost's comments, I can confirm. And our, um, decommissioning environmental management plan and environmental statements state this, but all concrete hardstanding areas, foundations for the infrastructure and any internal tracks will be removed to the decommissioning to a depth of one metre.

01:08:03:14 - 01:08:33:18

Um, so there won't be areas left covered in concrete as was suggested. Um, Mr. Anderson mentioned the cabling and the SPL um potential for um effects there, which is the point we've addressed in terms of decommissioning and the measures we've put in place in the, in the damp. So that should best practice, um, and legislation have changed at the time that can be removed. And that approach appeared to be acceptable to both authorities and the Environment Agency. Um, food security point and loss of BMV.

01:08:33:20 - 01:09:06:17

I won't get into further. Um, other than to point to the findings, date and other decisions which have considered the cumulative impacts, which include springwell. Um around contamination. There are robust measures in place throughout our management plans. Camp OMP um, Best battery safety management plan in terms of dealing with that contamination. And those robust measures are in place to ensure that there's no pathway for that contamination. All those management plans need to be approved by the relevant planning authority, and that is in consultation with relevant stat consultees each time, including the Environment Agency.

01:09:06:18 - 01:09:44:07

And as we've heard, the Environment Agency has been generally happy with that approach, given their role that they will have at that time in being consulted on those plans. Um, there's various points there that go to need and the merits of the MPs that I won't get into. Uh, Mr. Williams, I think, made similar comments that had already been made in terms of the ALC methodology and irrigation and contamination. Um, I think in terms of the comments from Mr. Heard, again, there's go to site

selection, which I've addressed as well. Um, as I've said, the choice of site and the design and layout within the site is not the sole best and most versatile and has informed that.

01:09:44:09 - 01:10:19:22

And we've definitely been very cognizant of the national policy in that respect, and the need to avoid and minimize use of best and most versatile land. But it is also balanced with other factors. And I have directed you to the design approach document in that respect. And I think that, um, largely picks up comments from Councillor Overton as well. Um, as have the comments I've made in terms of, um, the robust measures in place to prevent contamination. So I will just pass to Miss Ryan, just to address you on the point about, um, irrigation and how that, um, or the extent to which it is taken into account in that, um, ELC methodology and in the assessment.

01:10:19:24 - 01:10:20:14

Thank you.

01:10:21:16 - 01:10:51:21

Thank you, Jeri Ryan, on behalf of the applicant, I also have a couple other points to add. So the AOC survey showed the same results that was demonstrated on the screen by Simon. Um, this shows the competency of our team as we were able to conclude the same results in further detail. Uh, as mentioned, grade two land is limited by dirtiness. By being limited by dirtiness, it means that there's a lighter texture soil, which is actually more resilient to damage in the first place, so we're less likely to sustain damage by using these types of soil.

01:10:53:06 - 01:11:29:22

This is also going to be improved during operation, as these soils are lighter in texture and during operation. As the soils are not being affected by agricultural use, they're going to have an increase in organic matter, which is going to help increase water retention within the soil. The irrigation has been removed from the AOC assessment to reflect changes in 1997, as there has been no difference as there shows no difference in land management practice. Irrigation should not be taken into account in an AOC grading, given the negative impacts that obstruction can have on local water.

01:11:29:24 - 01:11:39:01

Water resources. In areas where water is scarce, taking irrigation aid out of AOC helps ensure that cropping is appropriate to local conditions.

01:11:45:23 - 01:12:08:15

And finally, I just want to add that the material we use for the pipes is similar to what is used of a water pipe, and the soil will not be affected in terms of an agricultural practice. From these cables, as it is below the depths of farming practices, and from soils perspective, it is better to keep them in situ as it will prevent any further damage to the soil.

01:12:11:01 - 01:12:32:17

Okay. Thank you very much for that. Um, if any of the IPS have any response to what you're seeing here, please provide them in writing because we do need to move on to agenda item number seven, which is biodiversity. Uh, do the parties need some time just to swap around? But I'll be handing over to, uh, Mr. North over to run through this agenda item.

01:13:16:22 - 01:13:17:12

Okay.

01:13:17:14 - 01:13:18:13

Thank you. So we'll.

01:13:18:19 - 01:13:19:09

We.

01:13:19:11 - 01:13:20:01

Will.

01:13:20:03 - 01:13:58:22

Uh, move on to agenda item seven, biodiversity. And we'll start with item 7.1, which deals with the, um, local wildlife sites and hedgerows. So to start off is a question for the district council. So following the response, uh, provided by the applicant to deadline one submissions and that's in rep 2-023. Can the District Council comment on whether it considers that adequate steps have been taken by the applicant to avoid or proactively minimize impacts on the local wildlife sites and hedgerows?

01:13:59:20 - 01:14:09:22

Member for North Kesteven District Council so I'll pass on at this stage. Mr. David Broughton, who is from A.com, is joining online to act on behalf of the district council.

01:14:11:06 - 01:14:43:03

Yes. Hi. It's David Broughton here representing North Kesteven. Um, the applicant provided a detailed response with deadline, one that thoroughly covered the points raised previously and gave us a much greater narrative in terms of how the mitigation hierarchy had been applied, and also giving greater context to kind of how biodiversity is one consideration amongst multiple constraints. And you've got to find the appropriate balance. For example, between heritage and biodiversity.

01:14:43:05 - 01:15:25:04

So that kind of rationale seems perfectly reasonable. Um, they've also clarified that where they do need to take small sections of hedgerow out to put cabling in. It is practical to replant hedgerows back on top of those cables. So there would be no loss of the hedgerow network long term. It would be a temporary impact while those hedgerows regrow. Um, in terms of the local wildlife sites we're dealing with. Um, chalk grassland, road verges. These are very long local wildlife sites, kind of reflecting the length of the road network and the quality of those grasslands within the local wildlife sites kind of varies along the length of those verges.

01:15:25:06 - 01:15:40:08

So they've explained their approach to minimising impacts. They've accounted for, um, restoration works within the OMP. And also I think there is a need to place weight on their, um,

01:15:42:07 - 01:16:05:09

their, um, extensive plans for creation of calcareous grassland, which is the same habitat type as the habitat that would be affected within the local wildlife sites and the areas of land that they're proposing to create can be more practically managed long term for the benefit of that habitat and its associated wildlife. So yeah, I'm I'm happy that that comments being closed out now okay.

01:16:05:11 - 01:16:32:19

Thank you for confirming that. Um and so I understand that that an updated um Olympe will be provided at deadline three providing further detail on, uh, monitoring arrangements. But for now, can the applicant and um, the district council advise on whether there's been further discussion and also agreement on the monitoring measures for the local wildlife sites and hedgerows?

01:16:34:20 - 01:16:44:06

It's common for the applicant. I can confirm we'll update the deadline three. I'm going to pass you to Mr. Mark Lang, technical director from RSC biosensors.

01:16:46:24 - 01:16:51:19

So just in relation to further conversation, yes, we've we've had conversation with the local.

01:16:51:21 - 01:16:52:11

Authority.

01:16:52:13 - 01:16:54:21

And we will agree the monitoring.

01:16:54:23 - 01:16:55:21

Strategy with them in.

01:16:55:23 - 01:16:57:06

Due course. We've we've outlined.

01:16:57:08 - 01:16:57:23

A monitoring.

01:16:58:00 - 01:17:04:06

Strategy within the Olam which deals with hedgerows and um, monitoring of all.

01:17:04:08 - 01:17:04:23

Habitats.

01:17:05:00 - 01:17:07:03

In relation to biodiversity, net gain. But we can.

01:17:07:05 - 01:17:07:20

Clarify.

01:17:07:22 - 01:17:09:17

That and reach agreement with them.

01:17:09:19 - 01:17:10:09

Over that.

01:17:10:11 - 01:17:11:09

Yes. Okay.

01:17:11:20 - 01:17:18:06

So there's, there's ongoing discussions not necessarily yet full agreement, but it's moving in the right direction.

01:17:18:08 - 01:17:18:23

Correct.

01:17:19:00 - 01:17:27:21

Okay. And district council, can you confirm that to your understanding of is that Mr. Broughton. Who would be best to answer that?

01:17:31:22 - 01:17:38:08

I do. Reporting from North Devon Council. Um, yes, that's my understanding from the meeting we had two weeks ago. Yes.

01:17:38:22 - 01:18:11:19

Okay. Thank you. Okay. So. Well, we can move on to item 7.2 then, which deals with the scarce arable flora. So I'll be referring to a couple of documents, a couple of figures. Um, the arable survey location figures. Um, it might be helpful for the applicant to have these at hand. Uh, so that's figure two of app, uh, 089. And the other figure is, uh, the green infrastructure beng parameter plans.

01:18:12:14 - 01:18:24:17

Um, which is 1032 and appendix A, figure two of that document. Uh, specifically page seven of eight of those figures.

01:18:28:14 - 01:18:34:20

So I'll just give you a moment to have those two hands and then I'll ask my question.

01:18:37:10 - 01:19:07:12

So the district council raised concerns regarding fields. Uh, BC 115 and BC 105 and target notes nine and ten that these areas would be converted to grassland. Um, I understand from the applicant's response in rep 2023 that the intention is to cultivate the six metre margins of the fields to enable the notable arable flora to survive.

01:19:07:24 - 01:19:19:23

So I just firstly confirmation of the six metre margins for arable flora, those marked by the purple area on on the green infrastructure being parameter plans.

01:19:23:14 - 01:19:26:06

Mark lang lang for the applicant. Yes, I believe so.

01:19:26:08 - 01:19:39:02

Okay. Thank you. So In that case, um, it doesn't appear that there. So if we look at field BCD 115.

01:19:41:17 - 01:19:57:01

It doesn't appear that the this this margin shown by the purple area extends to the northeast corner of the field, um, which is where Target note nine is located on the survey location. Figures.

01:20:00:08 - 01:20:06:11

Yeah. I'll mark length the applicant I'll we'll need to take that away and respond in writing. But we can address that.

01:20:06:13 - 01:20:23:17

Okay. So um, further to that, um, it also appears that the proposed strategic tree belt shown on the green infrastructure Beng parameter plans, um, could clash with the location of target note ten.

01:20:26:23 - 01:20:28:16

Again. We're responding, writing. And take that.

01:20:28:18 - 01:20:29:19

Away. Okay. Thank you.

01:20:31:10 - 01:20:54:03

Um, yeah. So. So if you could respond in that to that in writing and particularly, um, whether that green infrastructure margin does need to be extended to that northeast corner of the field, um, or even the full perimeter of the field, if it, if, if the full perimeter of the field, an important area for arable flora.

01:20:57:07 - 01:21:13:15

Um, and then next question is whether there is any guidance or on best practice that can be followed for preserving or improving conservation status of scarce arable flora. And has that been followed?

01:21:14:02 - 01:21:46:21

Mike Length applicant. Yes, we've done a review of something called the Conservation Evidence website, which is a website widely used by the industry for looking for evidence of mitigation and its efficacy. And there's plenty of evidence here that because we have arable plant species, some which are spring germinating, some which are autumn germinating thereby, that cultivation without cropping, um, a portion of the margins in the spring and a portion of the margins in the autumn.

01:21:47:02 - 01:22:19:16

There's plenty of evidence that that's beneficial in terms of preserving, um, arable flora. It does make the further distinction that we do need to think about the control of interest weeds. So particularly things like creeping thistle, that type of thing. And spot herbicide treatment might be required. So

there is monitoring requirements within the app. And we've made a specific commitment to monitor the rare arable flora. And also there is a commitment within the outline length for treatment spot treatment with herbicide if required.

01:22:19:19 - 01:22:39:14

So one of the issues with arable weeds is obviously you're leaving soil. You know, you're providing the seed bed essentially, so you can have a weed problem. And that's something that we're mindful of and would need to be factored into the monitoring long term. But there's evidence to suggest that terrible margins are a good method of preserving arable flora.

01:22:40:18 - 01:22:53:02

Okay. Thank you. And so can I ask the district council whether they consider the applicant's approach demonstrates, um, that it is certain to preserve and improve the conservation status of these species?

01:22:55:12 - 01:23:26:04

Absolutely. I mean, it's, um, David Broughton representing North Kesteven Council. Yes. I, I would agree with the applicant's ecologists that these are essentially the best approach to conserving arable flora is to maintain them within the fields that they occur and maintain the cultivation regimes that that have allowed that flora to develop over time. So essentially with this mitigation approach, we're maintaining the status quo. So yeah, it definitely has potential to achieve its aims.

01:23:26:06 - 01:23:56:14

I and I've appreciated the applicant, um, greater clarity on their approach both that that deadlines wanted to and and within the meeting we had a couple of weeks ago I think I've just got two outstanding areas of concern. One is in relation to plans, um, which which was similar to the views of the Planning Inspectorate, that the plans need to be checked and potentially be a little bit clearer and that can be captured within the next update of the Olympe.

01:23:56:23 - 01:24:29:06

And my other comment is really just it could do with a little bit more detail on the management regimes, just because I'm not quite clear how you can have most of the field managed is grassland and then have the margins managed as arable, because if those grasslands are going to be in conservation grazing regimes, for example, then is that conservation grazing compatible with maintaining scarce arable flora. So I think we just need a little bit more clarity on those points just to set the framework for what needs to be agreed post consent.

01:24:30:19 - 01:24:34:22

Okay. Thank you. And could the applicant respond to those specific concerns?

01:24:34:24 - 01:25:07:13

Yes. Mark Lang for the applicant. We can certainly provide some more details, written evidence as to how we're managing the field. But what I would stress is the area we're considering in relation to the margins is the area outside of the security fence. So between the security fence and the existing field boundary, whereas management of the grassland underneath the panels, if we manage to secure grazing, would be the area inside the security fence. So there is a natural separation between the two areas, and it's likely that stock will not be able to access the margin.

01:25:07:15 - 01:25:11:12

So we'll provide further clarity, but I think that will do it with the issue.

01:25:12:17 - 01:25:25:08

Okay. Thank you. Um, and similar Question regarding monitoring measures, has that been. Has that been discussed and is that agreed or in.

01:25:25:19 - 01:25:40:21

We're having ongoing discussions in relation to monitoring. We've made a firm commitment that we need to have specific monitoring requirements for arable weeds. But again, we can agree that in due course with the local authority.

01:25:41:12 - 01:25:54:05

And Mr. Broughton, are you are you happy with the direction things are heading and confident that, uh, that discussions around the monitoring measures could, can be resolved within the examination period?

01:25:56:12 - 01:26:03:18

David Broughton, representing Norfolk Evening Council. Yes. I'm happy with the progress so far. We've had really clear feedback and it's achievable. Yes.

01:26:04:14 - 01:26:45:12

Thank you. Okay. Um, so I'll move on to item 7.3, which deals with ground nesting birds. Um, so the district council referring its leader to an exercise carried out for the DCO to determine that the post development habitats for ground nesting birds would be adequate to maintain the conservation status of these species. Can I ask the District Council to provide a bit more information as to what this exercise entails? As I, as I understand from the applicants deadline two submission, that they weren't able to find the detail referred to in their documents.

01:26:50:18 - 01:26:52:10

Is that Mr. Broughton? Yeah.

01:26:52:17 - 01:27:26:19

Yeah. Yes. David Broughton, representing North Kesteven Council. Yeah. Apologies. We would have to go back and dig out the, um, the, the assessment from Headington Fen to provide a clear summary of what was involved with that. We met with the applicant two weeks ago, when it was brought to our attention that they hadn't been able to source these documents. My memory was these documents were within the, um, within the package of information submitted with. And then so my assumption was it was in the public domain, but they weren't able to find it.

01:27:26:21 - 01:27:38:16

But but also as part of that meeting and within their responses to deadlines one and two, they've set out in detail how how they've made their calculations and the principles they've taken.

01:27:41:11 - 01:28:05:14

In my opinion, are acceptable and make sense. Um, and they put a clear value upon the number of hectares of land that would be needed to provide that mitigation. So I think there's a plan of action there. It's secure and agreeable. We and I don't think the comment previously, previously made about how to defend necessarily maintains relevance now.

01:28:05:21 - 01:28:08:00

Okay. Thank you. Um.

01:28:14:06 - 01:28:30:04

And do you, Mr. Broughton, do you consider that the mitigation and enhancement measures for grounds nesting birds can be secured in the, um, a lamp, or do you consider that a specific strategy specification for ground nesting birds would be necessary?

01:28:31:20 - 01:29:15:10

David Broughton, representing North Kesteven Council I consider that the nesting birds strategy is strongly linked with the habitat strategy, so I think it is secure both through the Olympe. I think at present my only concern is, and I'd welcome clarification on it, is kind of exactly which fields and where this 102 hectares would be provided for ground nesting birds. And if there isn't currently a plan showing this, I think it would be helpful to have a plan plan with it on within the locates the relevant areas of land and shows what the kind of land management context of that land would be whether it's going to be managed as grassland, whether it's gonna be under arable management regimes.

01:29:15:12 - 01:29:18:09

And I think that's the missing part of the jigsaw at present.

01:29:19:00 - 01:29:32:09

Um, Mark Lang, for the applicant, we can certainly provide that. I mean, it's it's kind of there within the green infrastructure plans at the moment. But we can make we can further clarify that, just to make it abundantly clear as to where we're proposing and what the management regime is.

01:29:32:19 - 01:29:41:20

Okay. Thank you. That would be helpful. And if that was at deadline by deadline three, that would that would be good. Thanks.

01:29:44:10 - 01:30:13:23

Okay. In that case, I'll move on to, um, agenda item 7.4. Uh, dealing with biodiversity, net gain. Uh, so the first question is for the district council, um, whether you've now had a chance to review the original, uh, bag assessment. Um, and if so, are you able to confirm whether you're in agreement with the assessment or other comments to make is that it's not a question for Mr. Broughton again.

01:30:14:05 - 01:30:14:20

Yeah.

01:30:14:22 - 01:30:45:12

So Terry Broughton from North Haven Council, um, yes. We we've, we've looked at their baseline calculations and, um, report that companies that, um, and the district council returned a number of

comments for clarification in relation to the BMG approach. Um, within our meeting with the applicant two weeks ago, they confirmed that they will be addressing those comments in full and and will be providing more information with, with the expectation being that this would be it.

01:30:45:14 - 01:31:00:16

Deadline three. Um, so currently we're not in a position to agree this, but good progress is being made and I'm and I'm and I'm, um, expecting that this will be agreed within the examination period.

01:31:01:06 - 01:31:22:06

Okay. Thank you. Um, so now, considering the level of bag that's secured within the draft development consent order. I note the applicant's response to our first written question. Uh SSC 1.4.1 that into delivering the planting in the outlined landscape event

01:31:24:01 - 01:32:06:21

in the Lem um upon which the assessment is based. Significant positive weight could therefore be attributed to the anticipated delivery of bag. So that's the the higher level, the 31.66 bag and respective habitat units and 20.68 in respect of hedgerow units 13% force course units. So but my question is, is it possible that the planting in the length could be delivered and only achieve a minimum of the minimum of 10% being? Um, due to variations in quality Ability and or condition of habitats provided.

01:32:08:18 - 01:32:32:24

With the applicant. I might pass it to Mr. Lang shortly, but I'm also just to confirm, um, which I think we've done a deadline too. But when we update the draft this year at deadline three, we will be including in the requirement the actual percentages, which are in the region of, if not exactly, um, 32% for habitat units, 21 for hedgerow units and 14% for watercourse units in response to the um.

01:32:33:01 - 01:32:33:16

Okay.

01:32:33:19 - 01:32:41:12

The submission. So do you want us to address you further in terms of, um, the delivery of that and the the rest of your question, or does that?

01:32:41:16 - 01:32:57:07

Well, uh, the the question was leading to, um, asking for a why why the higher percentages can't be included in the TCA requirement, but if if they are going to be included in the requirement, then that, um.

01:32:57:09 - 01:33:02:00

Yes, I mean, that position of having anticipated it. So, um, we can confirm that for deadline three.

01:33:02:02 - 01:33:03:04

Okay. Thank you.

01:33:05:21 - 01:33:17:02

Um, is there anything that the local authorities would like to add on that point otherwise? Uh, yes. The county council clerk for Lincolnshire County Council.

01:33:17:08 - 01:33:21:20

Um, we welcome the commitment to, um, include greater detail in.

01:33:21:22 - 01:33:22:12

The DCO.

01:33:22:14 - 01:33:23:17

And the requirement at the deadline.

01:33:23:19 - 01:33:24:09

Three.

01:33:24:12 - 01:33:41:08

Um, one point that we did note, though, in the applicants response to deadline one submissions at 2023, um, applicant states that the the draft DCO is to be updated at deadline three, including commitment to meet predicted BNG results um above 10% for area based habitats.

01:33:41:10 - 01:33:42:00

And hedgerow.

01:33:42:02 - 01:33:47:14

Units, and does not mention watercourse units as well. Um, whether that's just something that slipped out.

01:33:47:16 - 01:33:48:06

In.

01:33:48:08 - 01:33:51:07

Drafting. Um, but but we just query why watercourse units aren't mentioned as well.

01:33:51:09 - 01:33:51:24

Thank you.

01:33:53:21 - 01:33:56:07

The applicant. Yes. It will include the watercourse units.

01:33:59:00 - 01:34:00:00

Okay. Thank you.

01:34:01:21 - 01:34:43:15

Um. So next we'll move on to item 7.5, um, which deals with the ecological steering group. Uh, and so can the applicant provide an update on the proposed establishment of an ecological steering group

in particular? Can you confirm, uh, who would be represented in such a group, the intended remit, i.e., what level of control would they have over mitigation, enhancement and monitoring? Um, and the duration which the group would, uh, be in place for and uh, what the securing mechanism is as well.

01:34:44:21 - 01:35:18:01

The applicant. Um, yes. We've had helpful discussions with the authorities in this respect, and they've, um, pointed us towards some terms of reference that they've agreed elsewhere, which has been very helpful. So we've reviewed those and indicated that we're largely in agreement with those. And we plan to update the Olympic deadline three to reflect that. I think there's an outstanding point, just in terms of the administration of funding of the group, which we're in discussions over. So we're just seeking some clarity at that point. In terms of the actual detail I might pass to Mr. Lang to say anything further about about that.

01:35:18:10 - 01:35:19:02

Thank you.

01:35:20:19 - 01:35:50:22

Yeah, it's Mark Lang for the applicant. So yes, we've had some good, um, honest conversations with the local authority, with regard steering group. And I think we've, um, reached agreement in principle. Um, we haven't reached agreement yet in relation to funding contributions, but that will come in due course, I'm sure. Um, and we'll set out in the length the kind of terms of reference for it and who will be represented, and also the commitment with regard monitoring and the protocol, that sort of thing.

01:35:51:24 - 01:36:00:12

So could you just give me a summary of, um, how it would work. So who would be represented? Um, and, um.

01:36:01:04 - 01:36:15:02

What we would imagine. So sorry. Mark length for the applicant again. We would imagine the the steering group would be representatives from the local authority and representatives from the client. Um, the springwell sailor.

01:36:15:08 - 01:36:23:24

Okay. Um, and in terms of the level of control they would have over mitigation, enhancement and monitoring measures.

01:36:25:04 - 01:36:31:16

We'll need to take that away and respond in writing, I think, with with regard the control element. But yeah.

01:36:31:18 - 01:36:36:07

And the duration is it for the entirety of the project through to decommissioning.

01:36:36:09 - 01:36:38:02

Yes, I would, I would imagine so. Yes.

01:36:38:04 - 01:36:46:23

Thank you. And so securing mechanism it will be set out in the Olympe. And then presumably the funding measures will be covered by a section 106 agreement.

01:36:47:00 - 01:37:01:05

Is that at least for the applicant, we are separately in the discussion about 1 to 6 agreement for a different contribution that we've agreed to in terms of local employment and skills. So yes, if we get to that point. We can include that in that agreement.

01:37:01:12 - 01:37:09:06

Okay. Yeah. And so question for the local authorities whether you're in agreement with the applicant's proposed approach.

01:37:11:09 - 01:37:15:03

Don't block the Lancashire County Council. Yes. That fits with with where we believe things are.

01:37:15:05 - 01:37:15:23

Um, discussions.

01:37:16:00 - 01:37:23:12

Have been positive. Um, in terms of the, the, um, purpose and duration of the group purposes is to essentially help the applicant.

01:37:23:14 - 01:37:24:04

To.

01:37:24:06 - 01:37:33:13

Ensure that they're achieving what they set out to achieve in, in the levelling the lamp and the biodiversity net gain strategy. And in terms of duration, yes, we think it's something that will.

01:37:33:15 - 01:37:34:06

Be.

01:37:34:08 - 01:37:40:03

A useful resource to the applicant throughout the lifetime of the development, including up through up to, um, decommissioning.

01:37:40:23 - 01:37:44:18

Thank you. And the district council, do you like to comment?

01:37:47:09 - 01:38:02:08

On district council? Uh, so I don't think we've got any further comments at this stage. Obviously review as the applicant provides further information. There are a couple of points from our perspective in terms of monitoring fees, etc., that we we will probably have some comment on, but perhaps we'll respond to that in due course.

01:38:02:10 - 01:38:17:01

Yeah. Okay. And so a question for the local authorities. Do you consider that the ecological steering group is essential to mitigate adverse impacts on ecology, or is it considered a potential benefit of the proposed development?

01:38:19:19 - 01:38:48:10

Darren Clarke County Council. Um, perhaps not essential, but certainly it'd be very useful from our point of view. It's something that we are requesting on most, if not all, and echoes, and we think that there are opportunities to potentially link some of the, um, delivery of mitigation and beng across a number of different schemes in the area. And we believe this is a really useful mechanism to do that. So it certainly provides added benefit if one is secured.

01:38:48:17 - 01:38:51:18

Okay. Yeah. And district council, any comments on that?

01:38:52:06 - 01:38:57:11

No, because the district council said nothing. Nothing to at this time. Mr. Broughton might have something to add, but.

01:38:59:14 - 01:39:02:10

Mr. Broughton, do you have anything to.

01:39:03:10 - 01:39:13:05

Add representing North Council? No, sorry, I jumped in a bit too quick with my camera then, and answer that question. So I would concur with what the county councillor said.

01:39:13:19 - 01:39:18:07

Okay. Thank you. Um, any further comment

01:39:19:23 - 01:39:22:15

from the applicant on this?

01:39:23:08 - 01:39:25:06

No, but that's helpful to understand. Thank you.

01:39:25:08 - 01:39:26:14

Okay. Thank you.

01:39:28:13 - 01:39:45:10

Right. Okay. That's all the questions I had on biodiversity matters. So, um, unless there's no further comments from the local authorities on biodiversity matters they wish to raise, then I will, um, open up to for comments from interested parties.

01:39:48:02 - 01:39:49:22

Yeah. Miss Davidson.

01:39:58:16 - 01:40:33:01

Thank you very much. Um, hopefully a short one. Marianne Overton from the Cliff villages solo action group on the. Just a question about the baseline which was raised and the district council felt satisfied with. But I'm not sure if it was a moment in time, uh, where the feels, you know, had just been covered with ryegrass or or is it taken over a, a couple of years, you know, so you actually get what was the genuine baseline rather than just that second in time, just that one moment in time.

01:40:33:06 - 01:40:34:11

Question. Thank you.

01:40:36:16 - 01:40:38:00

Yeah. Mr. Williams.

01:40:39:11 - 01:41:12:16

Not sure if I'm sorry. Mark Williams, uh, Spring Action Group. Just want to clarify. So we've talked about hedgerows and some of the gaps I guess verges which will be allowed to go a little bit wild. The the fields where the panels are going to be. The applicant has talked about the aspiration of having a few sheep roaming around potentially, but that's not a commitment. So if we don't have sheep, um, what prevents the grass etc.

01:41:12:18 - 01:41:46:14

growing? Um, so I guess we have a couple of options there. It's either going to be mowed to keep it down, or it's going to be sprayed so it doesn't grow or it's going to grow and potentially. Well, I won't let it grow too long because it'll cover the panels. But if it does grow and it gets dry in conditions like now, that creates a significant fire hazard. Um, so what are the options on the actual fields where the panels are going to be? I'm sorry if I missed the answer to that someone.

01:41:48:10 - 01:41:51:20

Thank you. Are there any other comments from interested parties?

01:41:54:09 - 01:42:08:17

And if not, then I'll ask if the applicant was first of all. And potentially also if the district council wanted to respond to Miss Overton as well. But first, if the applicant applied to respond to any points.

01:42:09:12 - 01:42:26:02

With the applicant just on the grazing point for Mr. Williams, it's 6.1.21 of the outlined Landscape ecology management plan, which confirms that would be undertaken through mechanical means in terms of the grass cutting. And on the other points, I'll just pass over to Mr. Lang to deal with.

01:42:26:04 - 01:42:26:19

Thank you.

01:42:27:17 - 01:42:30:21

Mark Lang, for the applicant. So just in relation to the point.

01:42:31:04 - 01:42:32:19

Sorry, if you could just direct.

01:42:32:21 - 01:42:33:11

Your.

01:42:33:13 - 01:42:34:03

Response.

01:42:34:05 - 01:43:10:04

Nice talking to. Yeah, sorry. Um, in relation to the point, if we if we can't graze, then it will be some kind of hay cut regime. So cut and collect basically. um, because obviously we do need to manage the vegetation. Um, and in relation to the point about the baseline, um, a baseline is always ever a point in time. Um, but the survey work that we've carried out has been fairly extensive. Um, we've carried out a huge suite of work which is which is outlined in the, um, the biodiversity chapter.

01:43:10:10 - 01:43:47:14

Um, so the bird work, the bat surveys, the habitat survey work, the detailed assessment for arable weeds, hedgerows, that type of thing. But it is fair to say that it's always a snapshot in time. But then what we also need to consider is the habitats on site are relatively stable. The main change on site is as fields changed and the agricultural rotation um, and the species and that we have are adapted to that change. So I don't anticipate seeing any Significant change to the baseline unless anything significant happens to the change on site.

01:43:47:16 - 01:44:18:22

So the normal kind of changes of agricultural cropping, winter stubble, that kind of thing. That's why we're seeing arable weeds. That's why we're seeing a high diversity of farmland birds. And I see no reason why that would change. So although the the baseline is a snapshot in time, it's still robust enough to undertake the assessment. So we have identified, for example, that the farmland bird assemblages of significant importance at spring well and appropriate mitigation to deal with that. We valued the the assemblage and appropriate mitigation to deal with that as well.

01:44:19:02 - 01:44:23:08

So I'm confident that the baseline we have is robust enough to assess the impacts of the scheme.

01:44:24:14 - 01:45:04:16

Okay. Thank you. So we do have as with the other item. So we don't really have time for the back and forth. And so if you have if you have disagreement if you could submit it in writing at deadline three. Thank you. I do just have a follow on question regarding relating to the grazing. So in the. The S explains that the grassland beneath the panels provides an improved foraging habitat, and whether the potential for grazing beneath the panels changes changes the the habitat value of the proposed grassland underneath the panels.

01:45:06:01 - 01:45:41:13

Mark length the applicant. It can change the value. It depends on the stocking density and when you grow. So clearly, if we grazed all year with a high stocking density and we just a short mown grass, it delivers very little ecological value. If we graze at a lower density and move the stock regularly, then it can deliver biodiversity benefit not only in controlling the vegetation, but also providing an element of animal dung into the system, which is quite important for invertebrates, particularly foraging birds and bats.

01:45:41:22 - 01:46:14:13

Um. It's a question of getting it right. Really. What we don't want to see is billiard green, you know, heavily grazed grassland with no wildflower species. So it's a question of grazing at the right time of year, having a period of the year when we're not grazing and moving the stock regularly, and low stocking density, which is partly why we haven't yet been able to make that commitment. Because conservation grazing is not easy. Conservation grazing is quite difficult to achieve, which is why we need to be able to find an appropriate grazer to be able to deliver that.

01:46:14:15 - 01:46:26:11

But if not, we'll do an appropriate haircut. And again, we're cutting vegetation. It's cutting at the right time of year. So making sure that we're not cutting during the flowering season when plants are in flower cutting late in the summer.

01:46:26:17 - 01:46:37:15

Okay, so does there need to be an update to the lamp to set out some of the measures, some of the specific measures if grazing was to be taken forward

01:46:39:03 - 01:46:39:19

with.

01:46:39:23 - 01:47:01:09

Mark Lang for the applicant. So we've set out within the Olympe at the moment our broad aspirations for habitat management, and we can finalize that detailed stage once we have a better understanding as to whether or not grazing is going to be feasible, I think I don't think we necessarily need to provide the detail at this stage. Um.

01:47:02:12 - 01:47:03:02

Okay.

01:47:03:04 - 01:47:04:04

All right. Thank you.

01:47:06:08 - 01:47:08:05

So I did that. Did that answer your question?

01:47:08:07 - 01:47:29:23

Yes. Yes, that answered my question. Thank you. Um, so I think now would be a good time for a, uh, afternoon break. Um, so if we break for it's just after quarter past. So if we come back at half past, um,

to resume and we'll be moving on to agenda item eight, which is population, including health and well-being. Thank you.